

BEFORE THE MARYLAND REAL ESTATE COMMISSION

**MARYLAND REAL ESTATE
COMMISSION**

V.

**CAROLE MURPHY-ADAMS
Long & Foster Real Estate
1425 Liberty Road
Sykesville, MD 21784**

Case No: 2010-RE-341

* * * * *

CONSENT ORDER

This matter comes before the Maryland Real Estate Commission ("Commission") as the result of a complaint filed by Angela Matthews ("Complainant"). Based on the complaint and an investigation, the Panel of Commissioners have determined that administrative charges against the Respondent, real estate salesperson, Carole Murphy-Adams, formerly affiliated with Long & Foster Real Estate, license registration number, 05-505900 ("Respondent"), are appropriate and that an administrative hearing on those charges should be held.

To resolve this matter without a formal hearing, the Commission and the respondent have agreed to enter into this Consent Order to provide for the imposition of disciplinary measures which are fair and equitable in these circumstances and which are consistent with the best interest of the people of the State of Maryland. The Commission and the Respondent agree and stipulate as follows:

1. At all times relevant to the matters set forth in this Consent Order, the Commission has had jurisdiction over the subject matter and the Respondent.
2. The Respondent was, at the time of the event at issue, affiliated with Long & Foster Real Estate, as a salesperson, license registration number 05-505900.
3. It is alleged that the Respondent was the listing agent in the transaction and the complainant was one of the owners of the property.
4. The Complainant signed a "Lock Box Addendum to Listing Agreement" stating that the Complainant "DOES NOT AUTHORIZE the use of a Contractor Access Code by contractor(s) who do not possess an electronic access card."
5. It is alleged that the Respondent gave an access code to a Contractor to inspect and give an estimate for a mold problem discovered in the property

6. The Respondent will admit that she violated Section 17-322 (b)(25) of the Business Occupations and Professions Article as well as Code of Maryland Regulations (COMAR) 09.11.02.02A which provides:

**Section 17-322
Business Occupations and Professions Article
Maryland Annotated Code**

(b) Grounds.- Subject to the hearing provisions of 17-324 of this subtitle, the Commission may deny a license to any applicant, reprimand and licensee, or suspend or revoke a license if the applicant or licensee:

(25) engages in conduct that demonstrates bad faith, incompetency, or untrustworthiness or that constitutes dishonest, fraudulent, or improper dealings;

Chapter 08 Code of Ethics

.02 Relations to the Client.

A. In accepting employment as an agent, the licensee shall protect and promote the interests of the client. This obligation of absolute fidelity to the client's interest is primary, but it does not relieve the licensee from the statutory obligations towards the other parties to the transaction.

7. The Respondent consents to the entry of an Order that her conduct, as described in this Consent Order, violates Section 17-322 (b)(25) of the Business Occupations and Professions Article, Maryland Annotated Code and Code of Maryland Regulations 09.11.02.02A. She agrees to pay a civil penalty in the amount of \$500.00 within sixty (60) days of the execution of this Consent Order.
8. By entering into this Consent Order, the Respondent, expressly waives the right to an administrative hearing on the charges, the making of Findings of Fact and Conclusions of Law, any and all further proceedings before the Commission to which the Respondent may be entitled in this matter and any rights to appeal from the Commission's Order.
9. The Commission accepts this Consent Order as the full and final resolution of Complaint No. 2010-RE-341.

BASED ON THESE STIPULATIONS, IT IS THIS 19th DAY OF Sept., 2011 BY THE MARYLAND REAL ESTATE COMMISSION.

ORDERED that the Respondent violated Section 17-322 (b)(25) of the Business Occupations and Professions Article, Maryland Annotated Code and it is further

ORDERED that the Respondent violated Title 09.11.02.02 A of the Code of Maryland Regulations

ORDERED the Respondent will pay a civil penalty in the amount of a \$500.00 within sixty (60) days of the execution of this Consent Order:

ORDERED that should the Respondent fail to pay either the civil penalty within the 60 days after signing the Order, the Commission will suspend the license of the Respondent until such time as the requirements are made.

ORDERED that the Commission's records and publications reflect the violations and the penalty imposed on the Respondent.

MARYLAND REAL ESTATE COMMISSION:

By: _____

AGREED:

9/19/11
Date

CAROLÉ MURPHY-ADAMS, Respondent